

**IN THE**  
**SUPREME COURT OF INDIANA**  
**AMENDED ORDER AMENDING GUIDELINES FOR THE**  
**INDIANA COMMISSION FOR CONTINUING LEGAL EDUCATION**

Under the authority vested in this Court to provide by rule for the procedure employed in all courts of this state and this Court's inherent authority to supervise the administration of all courts of this state, the *Mandatory Continuing Legal Education Guidelines* for the *Indiana Commission for Continuing Legal Education* are amended as follows (deletions shown by striking; new text shown by underlining):

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**SECTION 3. ACCREDITATION POLICIES.**

(a) Approval of Courses. The Commission shall approve the course if it determines that the course will make a significant contribution to the professional competency of Attorneys or Judges who enroll. In determining if a course meets this standard the Commission shall consider whether:

- (i) the course has substantial legal content.
- (ii) the course deals with matters related directly to the practice of law or the professional responsibility of Attorneys or Judges.
- (iii) each faculty member who has teaching responsibility in the course is qualified by academic work or practical experience to teach the assigned subject.
- (iv) the physical setting for the course is suitable, including the availability of a writing surface and accessibility to persons with disabilities.
- (v) high quality written materials including notes and outlines are available at or prior to the time the course is offered to all Attorneys or Judges who enroll.
- (vi) the course is of sufficient length to provide a substantial educational experience. Courses of less than one (1) hour will be reviewed carefully to determine if they furnish a substantial educational experience.
- (vii) there are live presentations; or there is a licensed Indiana attorney, whose function shall be to certify attendance to accompany the replaying of tapes.
- (viii) the applicant has sufficiently identified those portions of a seminar that should be accredited. It shall be the duty of an applicant to apply separately for accreditation of the legal portions of a seminar, where the substance of a seminar is not

entirely legal. The Commission may deny accreditation for an entire program where separate application is not made and where a significant portion of the program is not continuing legal education.

(ix) the course is designed for and targeted to Attorneys or Judges.

(b) Approval of Other Educational Activities.

(i) Credit may be given for the following legal subject matter courses:

(a) Law School Courses. An Attorney or Judge who attends a regularly conducted class at a law school approved by the American Bar Association. The number of credits may not exceed 24 hours for a single law school activity.

(b) Bar Review Courses. An Attorney or Judge who completes a bar review course may apply for continuing legal education credit. The number of credits may not exceed 24 hours for the course.

(c) Commission-Accredited Basic Mediation Training Course. An Attorney or Judge who completes a basic mediation training course approved by the Commission for mediation training shall receive 24 hours.

(d) Court Administration Courses. Courses directed at improving docket management and court administration shall be approved.

~~(e) Bar Exam. An Attorney or Judge who prepares questions for a bar exam may apply for credit.~~

~~(f)~~ **(e)** Ethics Concentrated Law Firm Management Courses. An Attorney or Judge who attends a law firm management course with a concentration on: Trust accounting, ethical client contact, and ethical use of staff and resources may apply for credit. Any portion of the course dealing with marketing of services, profit enhancement, and stress management will be denied credit.

~~(g)~~ **(f)** Teaching Approved Courses. An Attorney or Judge who participates as a teacher, lecturer, panelist or author in an approved continuing legal education course will receive credit for:

(1) Four (4) hours of approved continuing legal education for every hour spent in presentation.

(2) One (1) hour of continuing legal education credit for every four (4) hours of preparation time (up to a maximum of six (6) hours of credit) for a contributing author who does not make a presentation relating to the materials prepared.

(3) One (1) hour of approved continuing legal education for every hour the Attorney or Judge spends in attendance at sessions of a course other than those in which the Attorney or Judge participates as a teacher, lecturer or panel member.

(4) Attorneys or Judges will not receive credit for acting as a speaker, lecturer or panelist on a program directed to non-attorneys.

(ii) Limited credit may be given for non-legal subject matter courses. The Commission promotes the competency of Attorneys in the practice of law. The Commission acknowledges there are some Non Legal Subject Matter Courses which enhance an Attorney's competency in his or her individual practice. An Attorney or Judge who make an application may receive a maximum of twelve (12) hours per Educational Period from Non Legal Subject Matter Courses. An Attorney must

demonstrate that the Non Legal Subject Matter Course will enhance that Attorney's individual practice. A Sponsor may not apply for or receive general accreditation of a Non Legal Subject Matter Course. The following is a non-exclusive list of courses that may be accredited under this section:

(a) Law firm management courses. An Attorney may apply for accreditation of a law office management course that does not meet the criteria of (f) Ethics Concentrated Law Firm Management courses (above). To be accredited, the course must deal with law firm management as opposed to office management in general. Further, the course must be directed to Attorneys or law office administrators. Any portions of the course dealing mainly with profit enhancement or marketing of services will be denied credit.

(b) Medicine. Orthopaedics or Anatomy for Lawyers.

(c) Accounting for Lawyers.

(d) Teaching Administration Skills for Law School Teachers.

(iii) Professional Responsibility Credit shall be given when a topic has professional responsibility or ethics as its main focus, and the course has at least one-half ( 1/2) hour of professional responsibility content.

(a) An Approved Sponsor must separately designate Professional Responsibility Credits when certifying attendance to the Commission.

(b) A Non-Approved Sponsor must separately request Professional Responsibility Credits on an application provided by the Commission.

(iv) Credit will be denied for the following activities:

(a) Legislative, lobbying or other law-making activities.

(b) In House Program. The Commission shall not approve programs which it determines are primarily designed for the exclusive benefit of Attorneys employed by a private organization or law firm. Attorneys within related companies will be considered to be employed by the same organization or law firm for purposes of this rule. However, governmental **or academic** entities may sponsor programs for the exclusive benefit of their Attorney employees.

(c) Satellite, microwave, **internet**, video, or telephone conferences. To be approved courses must provide a discussion leader or two way communication, classroom setting away from the attorneys' offices, opportunity to ask questions, and must monitor attendance.

(d) Self-study activities. Courses or activities completed by self-study will be denied credit unless approved under Section 8(c) ~~of these guidelines~~ **of this rule**.

(c) Procedure for Sponsors. Any Sponsor may apply to the Commission for approval of a course. The application must:

(i) be submitted to the Commission at least thirty (30) days before the first date on which the course is to be offered;

(ii) contain the information required by and be in the form approved by the Commission and available upon request; and

(iii) be accompanied by the written course outline and brochure used to furnish information about the course to Attorneys or Judges.

(d) Procedure for Attorneys and Judges. An Attorney or Judge may apply for credit of a course either before or after the date on which it is offered. The application must:

- (i) contain the information required by and be in the form set forth in the application approved by the Commission and available upon request;
- (ii) be accompanied by the written course outline and brochure used by the Sponsor to furnish information about the course to Attorneys or Judges; and
- (iii) be accompanied by an affidavit of the Attorney or Judge attesting that the Attorney or Judge attended the course together with a certification of the course Sponsor as to the Attorney's or Judge's attendance. If the application for course approval is made before attendance, this affidavit and certification requirement shall be fulfilled within thirty (30) days after course attendance.

These amendments shall take effect January 1, 2003.

The Clerk of this Court is directed to forward a copy of this order to the Clerk of each Circuit Court in the state of Indiana; Attorney General of Indiana; Legislative Services Agency and its Office of Code Revision; Administrator, Indiana Supreme Court; Administrator, Indiana Court of Appeals; Administrator, Indiana Tax Court; Public Defender of Indiana; Indiana Supreme Court Disciplinary Commission; Indiana Supreme Court Commission for Continuing Legal Education; Indiana Board of Law Examiners; Indiana Judicial Center; Division of State Court Administration; the libraries of all law schools in this state; the Michie Company; and the West Group.

The West Group is directed to publish this Order in the advance sheets of this Court.

The Clerks of the Circuit Courts are directed to bring this Order to the attention of all judges within their respective counties and to post this Order for examination by the Bar and general public.

DONE at Indianapolis, Indiana, this \_\_\_\_\_ day of January, 2002.

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Randall T. Shepard  
Chief Justice of Indiana

All Justices concur.